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1645
(BOX SEQ) ND

Docket No. 0660-0165-0X PCT

IN RE APPLICATION OF: Brigitte GICQUEL et al

SERIAL NO: 09/462,480

FILED: March 6, 2000

FOR: A POLYNUCLEOTIDE FUNCTIONALLY CODING FOR THE LHP PROTEIN FROM MYCOBACTERIUM TUBERCULOSIS, ITS BIOLOGICALLY ACTIVE DERIVATIVE FRAGMENTS, AS WELL AS METHODS USING THE SAME

ASSISTANT COMMISSIONER FOR PATENTS
WASHINGTON, D.C. 20231

SIR:

Transmitted herewith is an amendment in the above-identified application.

No additional fee is required

Small entity status of this application under 37 C.F.R. §1.9 and §1.27 is claimed.

Additional documents filed herewith: REQUEST FOR EXTENSION OF TIME; NOTICE TO COMPLY; SEQUENCE LISTING (PAPER); COMPUTER-READABLE SEQUENCE LISTING (DISKETTE); RESPONSE TO RESTRICTION REQUIREMENT AND PRELIMINARY AMENDMENT

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The Fee has been calculated as shown below:

CLAIMS	CLAIMS REMAINING		HIGHEST NUMBER PREVIOUSLY PAID	NO. EXTRA CLAIMS	RATE	CALCULATIONS
TOTAL	55	MINUS	93	0	× \$18 =	\$0.00
INDEPENDENT	4	MINUS	4	0	× \$80 =	\$0.00
		<input type="checkbox"/> MULTIPLE DEPENDENT CLAIMS			+ \$270 =	\$0.00
						TOTAL OF ABOVE CALCULATIONS
		<input type="checkbox"/> Reduction by 50% for filing by Small Entity				\$0.00
		<input type="checkbox"/> Recordation of Assignment			+ \$40 =	\$0.00
						TOTAL
						\$0.00

A check in the amount of \$110.00 is attached.

Please charge any additional Fees for the papers being filed herewith and for which no check is enclosed herewith, or credit any overpayment to deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

If these papers are not considered timely filed by the Patent and Trademark Office, then a petition is hereby made under 37 C.F.R. §1.136, and any additional fees required under 37 C.F.R. §1.136 for any necessary extension of time may be charged to Deposit Account No. 15-0030. A duplicate copy of this sheet is enclosed.

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.Norman F. Oblon
Registration No. 24,618Daniel J. Pereira, Ph.D.
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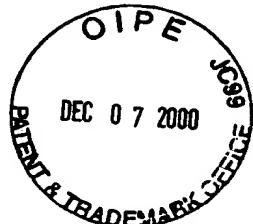
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UNITED STATES DEPARTMENT OF COMMERCE
Patent and Trademark Office
COMMISSIONER OF PATENTS AND TRADEMARKS
Washington, D.C. 20231

SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.



EXAMINER	
SWARTZ, R	
ART UNIT	PAPER NUMBER
1645	

DATE MAILED:

Please find below a communication from the EXAMINER in charge of this application

Commissioner of Patents

This Application contains sequence disclosures that are encompassed by the definitions for nucleotide and/or amino acid sequences set forth in 37 C.F.R. § 1.821(a)(1) and (a)(2). However, this application fails to comply with the requirements of 37 CFR §§ 1.821 - 1.825 for the reason(s) set forth on the attached Notice To Comply With Requirements For Patent Applications Containing Nucleotide Sequences And/Or Amino Acid Sequence Disclosures.

Any inquiry concerning this communication should be directed to Primary Examiner Rodney P. Swartz, Ph.D., Art Unit 1645, whose telephone number is (703) 308-4244. If unable to reach the examiner, Lynette F. Smith, SPE, can be contacted at (703) 308-43909.

Any questions regarding compliance with the sequence rules requirements specifically should be directed to the departments listed at the bottom of the Notice To Comply.

Any inquiry of a general nature or relating to the status of this application should be directed to the Group receptionist whose telephone number is (703) 308-0196.

APPLICANT IS GIVEN ONE MONTH FROM THE DATE OF THIS LETTER WITHIN WHICH TO COMPLY WITH THE SEQUENCE RULES, 37 C.F.R. §§ 1.821 - 1.825. Failure to comply with these requirements will result in ABANDONMENT of the application under 37 C.F.R. § 1.821(g). Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 C.F.R. § 1.136. In no case may an applicant extend the period for response beyond the six month statutory period. Direct the response to the undersigned. Applicant is requested to return a copy of the attached Notice to Comply with the response.

Rodney P. Swartz, Ph.D.
Primary Examiner
Art Unit 1645
October 5, 2000

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Application No. 09/462,480

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**NOTICE TO COMPLY WITH REQUIREMENTS FOR PATENT APPLICATIONS CONTAINING
NUCLEOTIDE SEQUENCE AND/OR AMINO ACID SEQUENCE DISCLOSURES**

The nucleotide and/or amino acid sequence disclosure contained in this application does not comply with the requirements for such a disclosure as set forth in 37 CAR §1.821 - §1.825 for the following reason(s):

- 1. This application clearly fails to comply with the requirements of 37 CAR §1.821 - §1.825. Applicant's attention is directed to these regulations, published at 1114 OG 29, May 15, 1990, and at 55 FR 18230, May 1, 1990.
- 2. This application does not contain, as a separate part of the disclosure on paper copy, a "Sequence Listing" as required by 37 CAR §1.821(c).
- 3. A copy of the "Sequence Listing" in computer readable form has not been submitted as required by 37 CAR §1.821(e).
- 4. A copy of the "Sequence Listing" in computer readable form has been submitted. However, the content of the computer readable form does not comply with the requirements of 37 CAR §1.822 and/or §1.823, as indicated on the attached copy of the marked-up "Raw Sequence Listing".
- 5. The computer readable form that has been filed with this application has been found to be damaged and/or unreadable as indicated on the attached CRF Diskette Problem Report. A substitute computer readable form must be submitted as required by 37 CAR §1.825(d).
- 6. The paper copy of the "Sequence Listing" is not the same as the computer readable form of the "Sequence Listing" as required by 37 CAR §1.821(e).
- 7. Other: _____

APPLICANT MUST PROVIDE:

- An initial or substitute computer readable form (CRF) copy of the "Sequence Listing".
- An initial or substitute paper copy of the "Sequence Listing", as well as an amendment directing its entry into the specification.
- A statement that the content of the paper and computer readable copies are the same and, where applicable, include no new matter, as required by 37 CAR §1.821(e) or §1.821(f) or §1.821(g) or §1.825(b) or §1.825(d).

FOR QUESTIONS REGARDING COMPLIANCE WITH THESE REQUIREMENTS, PLEASE CONTACT:

For Rules Interpretation, call (703) 308-1123
For CRF Submission help, call (703) 308-4212
For Patentin Software help, call (703) 557-0400

PLEASE RETURN A COPY OF THIS NOTICE WITH YOUR RESPONSE.